

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**MARC NORFLEET,
#R57214,**

Plaintiff,

v.

**IDOC,
ROB JEFREYS,
GLADYSE C TAYLOR,
FRANK LAWRENCE,
ANTHONY WILLS,
AMY BURLE,
ANGELA CRAIN,
RON SKIDMORE, and
PATRICK KEANE,**

Defendants.

Case No. 21-cv-00515-SPM

MEMORANDUM AND ORDER

MCGLYNN, District Judge:

On April 9, 2019, the Seventh Circuit issued an order restricting Marc Norfleet, an inmate in the custody of the Illinois Department of Corrections, from filing any papers in courts in this Circuit until he has fully paid all outstanding fees and sanctions imposed against him in any civil actions. *See Norfleet v. Baldwin*, No. 19-1337, Doc. 9 (7th Cir. April 9, 2019). Because of this restriction, the Clerk of this Court returns unfiled any documents submitted by Norfleet. Recently, on May 24, 2021, the Seventh Circuit modified the filing restriction by adding the following language:

This order does not apply to any suit that Norfleet filed while in imminent danger of serious physical injury, and that request judicial aid in bringing that danger to an end. Whether such a danger exists is a question for the district judge, and Norfleet's claim of danger will not be automatically accepted. But if such a claim is made, clerks of court will accept Norfleet's papers until the district judge rules on the claim.

Id. at Docs. 13 and 14. Three days later, on May 27, 2021, Norfleet submitted a complaint alleging imminent danger. In accordance with the Seventh Circuit's new directive, the Clerk of Court opened this case and filed the Complaint. The Court must now determine whether Norfleet is in imminent danger and may proceed with this case. Therefore, the Warden of Menard, Anthony Wills, is **DIRECTED** to respond to the allegations in the Complaint regarding Norfleet's claims of imminent danger within **14 days of service of the pleadings**. Wills shall not answer or otherwise file a responsive pleading to the Complaint until the issue of imminent danger has been resolved.

The Clerk of Court is **DIRECTED** serve **Anthony Wills**, the Warden of Menard Correctional Center, in his official capacity only, with this lawsuit. The Clerk shall prepare for Wills the following: (1) Form 5 (Notice of a Lawsuit and Request to Waive Service of a Summons), and (2) Form 6 (Waiver of Service of Summons). The Clerk is directed to mail these forms, a copy of the Complaint, and this Memorandum and Order to Defendant's place of employment. If Defendant fails to sign and return the Waiver of Service of Summons (Form 6) to the Clerk within 30 days from the date the forms were sent, the Clerk shall take appropriate steps to effect formal service on Defendant, and the Court will require Defendant pay the full costs of formal service, to the extent authorized by the Federal Rules of Civil Procedure.

Finally, in light of this Order, the motions seeking court action filed by Norfleet are **DENIED as moot**. (Docs. 9, 10, 11).

IT IS SO ORDERED.

DATED: June 16, 2021

s/Stephen P. McGlynn
STEPHEN P. MCGLYNN
United States District Judge